

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts that:

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would/would not result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will/will not adversely affect the health, safety, and general welfare of the community, the variance(s) should /should not be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the herein Petition for Variance(s) to permit



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

December 22, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #70, Zoning Advisory Committee Meeting, October 20, 1981, are as follows:

Property Owner: Philip L. and Betty Buck
Location: N/S Allegheny Avenue 461' E. of Woodbine Avenue
Acres: 85 X 213
District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

JW:rh

82-154 ASPH
11/2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date: November 30, 1981

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following zoning variance items, and has no specific comments regarding same:

- Item # 70 - Philip L. & Betty Buck
- Item # 71 - Charles E. & Julia M. Dengler
- Item # 72 - John M. Miller
- Item # 73 - Margaret Elizabeth Giudice, et al

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/ftb



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7310

PAUL H. REINCKE
CHIEF

December 15, 1981

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Phillip L. and Betty Buck

Location: N/S Allegheny Avenue 461' E. of Woodbine Avenue

Item No.: 70 Zoning Agenda: Meeting of October 20, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.

- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

- () 6. Site plans are approved, as drawn.

- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. McManis* Noted and Approved: *George M. McManis*
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/mb/cm



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED JAKES, JR.
DIRECTOR

November 13, 1981

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #70 Zoning Advisory Committee Meeting, October 20, 1981 are as follows:

Property Owner: Philip L. & Betty Buck
Location: N/S Allegheny Avenue 461' E. of Woodbine Avenue
Baltimore Zoning: D.B. 3.5
Proposed Zoning: Variance to permit a lot width of 85' in lieu of the required 105' a minimum side yard setback of 5' in lieu of the required 20' and a sum of 35' in lieu of the required 140'.

Acres: 85 X 213
District: 9th

The items checked below are applicable:

- X A. All structures shall conform to the Baltimore County Building Code 1978, and other applicable Codes.

- B. A building/_____ permit shall be required before beginning construction.

- C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

- D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

- E. In wood frame construction an exterior wall erected within 6' 0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3' 0" of lot line. A minimum 8" masonry firewall is required if construction is on the lot line.

- F. Requested variance conflicts with the Baltimore County Building Code, Section/s _____.

- G. A change of occupancy shall be applied for, along with an alteration permit application, and three required set of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

- H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 305 and the required construction classification of Table 211.

- X I. Comments - A one hour fire separation shall be provided between tenants. Each tenant shall have an approved exit. Alterations to accomplish this will require a permit.

NOTE: These comments reflect only on the information provided by the drawing submitted to the office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., Towson.

Very truly yours,

Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CEB:rrj

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: October 12, 1981

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Z.A.C. Meeting of: October 20, 1981

RE: Item No: 70, 71, 72, 73
Property Owner:
Location:
Present Zoning:
Proposed Zoning:

District:
No. Acres:

Dear Mr. Hammond:

All of the above have no bearing on student population.

Very truly yours,

Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

NNP/bp



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
301/494-3550

STEPHENE COLLINS
DIRECTOR

January 20, 1982

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: ZAC Meeting - October 20, 1981

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment for items number 70, 71, 72 and 73.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineering Associate II

MSF/r1j

Lombardy Place
Towson, Maryland 21204
January 11, 1982

Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Dear Commissioner,
I am writing to you relative to the Philip L. Buck application for a Special Hearing and Variance to convert a portion of his property to a three-apartment dwelling. The thoughts and hopes of living in the city, project the possibility of a new life for the Buck family. The fact that many fine residential homes are being used as lawyer's offices, and that commercial-like parking lots are observable west of Bayley Ave. is very disturbing. More and more homes have been turned into rental units and not single family ones - that the whole character of the neighborhood is changing.

My husband and I are firmly against the zoning of this property for anything except a single family residence. We overlook the back of said property. Just the matter of providing parking for an increased number of vehicles may cause a run-off problem. Formulating three apartments may lead to problems. One rental unit across the street from the Buck's property has been guilty of keeping the neighbors from getting their sleep on summer evenings with loud parties that awaken our children. It is a domino effect. Perhaps it is because of all the offices and rental units that the Bucks have been unable to sell their home. That is your fault! Perhaps you need to draw a line at your zoning exceptions. If you do not, then many elderly trying to sell their homes will have a similar problem, due to the changing (unfavorably) face of the community.

We would like to see the Bucks remain or sell their home to be used as a single family dwelling, at a reasonable price if at all possible, in order to retain the remaining single family dwelling residential characteristics of West Towson. We pray that you will make a decision that will be favorable to our community.

Sincerely,
Dianne F. Thompson
Dianne F. Thompson
James E. Thompson

G. Darrell Russell, Esquire
203 Courtland Avenue
Towson, Maryland 21204

May 20, 1982

RE: Petitions for Special Hearing and
Variances
N/S of Allegheny Avenue, 461' E
of Woodbine Avenue - 9th Election
District
Philip L. Buck, et ux - Petitioners
NC. 82-154-SPHA (Item No. 70)

Dear Mr. Russell:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

WILLIAM E. HAMMOND
Zoning Commissioner

WEH/srl

Attachments

cc: John W. Hessian, III, Esquire
People's Counsel

Mrs. Mary Ginn
606 Horncrest Road
Towson, Maryland 21204

Mr. & Mrs. James E. Thompson
7 Lombardy Place
Towson, Maryland 21204

PETITION FOR SPECIAL HEARING & VARIANCE
9th DISTRICT

ZONING: Petition for Special Hearing and Variance
LOCATION: North side of Allegheny Ave., 461' East of Woodbine Ave.
DATE & TIME: Tuesday, January 12, 1982 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing:

Petition for Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve whether the attachment of an existing garage to a dwelling via a breezeway shall allow the conversion of the existing dwelling and garage to a three-apartment dwelling and Variance to permit a lot width of 84' instead of the required 105' and a minimum side yard setback of 5' instead of the required 20' and a sum of side yards of 35' instead of the required 40'

The Zoning Regulation to be excepted as follows:

Section 402.1 - Minimum lot width and setbacks for conversion of a dwelling to apartments

All that parcel of land in the Ninth District of Baltimore County

Being the property of Philip L. Buck, et ux, as shown on plat plan filed with the Zoning Department.
Hearing Date: Tuesday, January 12, 1982, at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

DESCRIPTION OF PROPERTY

Beginning at a point on the North side of Allegheny Avenue approximately 461' east of Woodbine Avenue and known as Lot 1 of "Donald Buck" property and recorded among the Land Records of Baltimore County in Plat Book 42 Folio 56.

Also known as 532 Allegheny Avenue.

G. Darrell Russell, Jr., Esquire
203 Courtland Avenue
Towson, Maryland 21204

December 16, 1981

NOTICE OF HEARING

RE: Petitions for Special Hearing & Variance
N/S Allegheny Ave., 461' E of Woodbine Ave.
Philip L. Buck, et ux - Petitioners
Case #82-154-SPHA

TIME: 9:30 A.M.

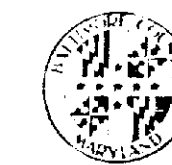
Tuesday, January 12, 1982

DATE:

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

January 4, 1982

G. Darrell Russell, Esquire
203 Courtland Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing and Variance
N/S Allegheny Ave., 461' E of Woodbine Ave.
Philip L. Buck, et ux - Petitioners
Case #82-154-SPHA

Dear Mr. Russell:

This is to advise you that \$64.75 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,
William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

LIBR 5930 PAGE 093

TRANSFER TAX NOT REQUIRED

Walter R. Richardson
Director of Finance
BALTIMORE COUNTY, MARYLAND

DECLARATION

DRIVEWAY USE AND MAINTENANCE AGREEMENT Per: *Philip L. Buck*

WHEREAS, Donald E. Buck and Elizabeth L. Buck, his wife, are the owners of several lots located in the 9th election district of Baltimore County, State of Maryland, which lots are designated as Lots 1, 2, and 3 on a Plat recorded among the Land Records of Baltimore County in Plat Book E.H.K.Jr., No. 42, folio 56; and

WHEREAS, Donald E. Buck and Elizabeth L. Buck are desirous of establishing an easement and driveway over portions of Lots 2 and 3 for the use and benefit of all of said Lots 1, 2, and 3 for ingress and egress from Allegheny Avenue to said lots, which easement and driveway is maintained as hereinafter set forth.

NOW, THEREFORE, this Declaration and Driveway Use and Maintenance Agreement

WITNESSETH: That Donald E. Buck and Elizabeth L. Buck hereby declare that

there is hereby created for the benefit of Lots 1 and 2 a perpetual easement

for purposes of ingress and egress over that strip of land ten (10) feet wide

which has heretofore been set aside as being a portion of Lot 3 and which runs

along the southeastern border of the entire tract of land owned by Donald E. Buck

and Elizabeth L. Buck, his wife, from Allegheny Avenue to an imaginary line in

said strip, said line being made by extending the South 56 degree 15 minute East

94.79 foot line which appears on the aforesaid Plat on the southwestern border of

Lot 3, such extension being in a southeasterly direction until said imaginary line

intersects the South 32 degree 51 minute 20 second West 410.01 foot line as shown

on the aforesaid Plat as the southeastern boundary of the entire tract owned by

Donald E. Buck and Elizabeth L. Buck, his wife.

It is further declared that there is hereby created for the benefit of Lots

1 and 3 a perpetual easement for purposes of ingress and egress over that ten (10)

foot wide strip of land which has heretofore been set aside as being a portion of

Lot 2 and which runs from Allegheny Avenue to the South 56 degree 15 minute East

94.79 foot line which appears on the aforesaid Plat on the southwestern border of

Lot 3, said strip to include that part set aside for Lot 2 to the south west of

an imaginary line across Lot 2, said line being made by extending the South 32

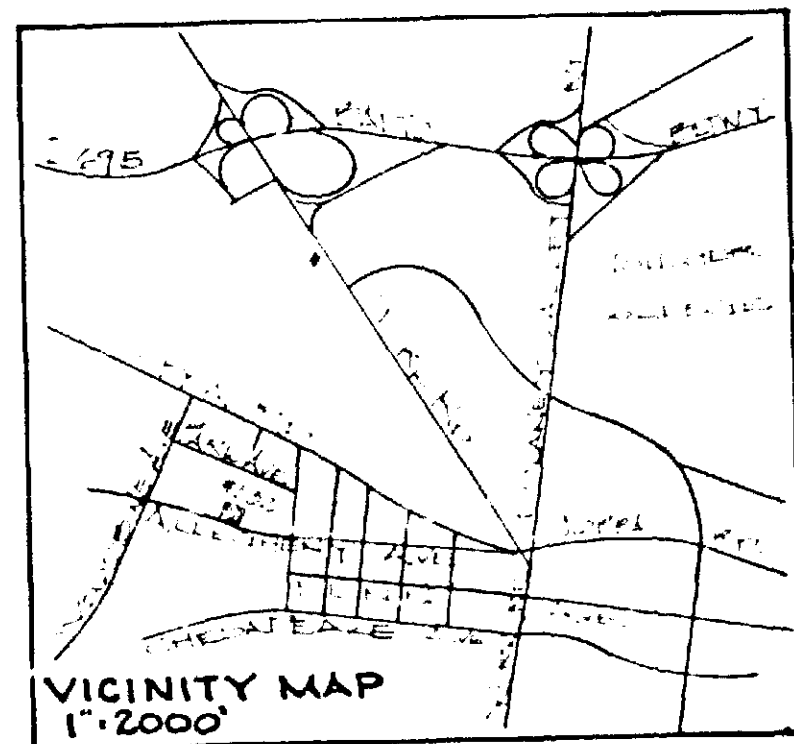
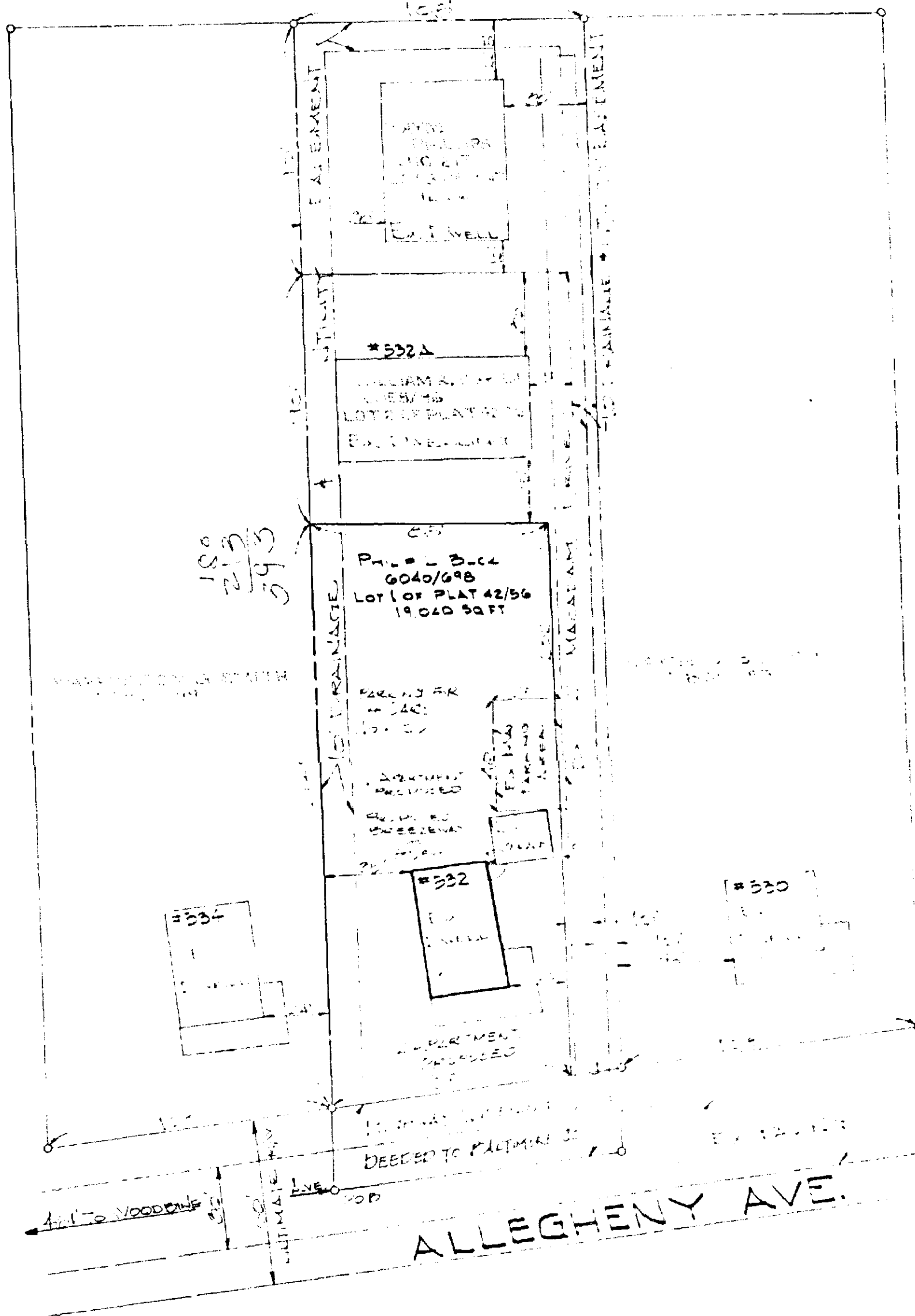
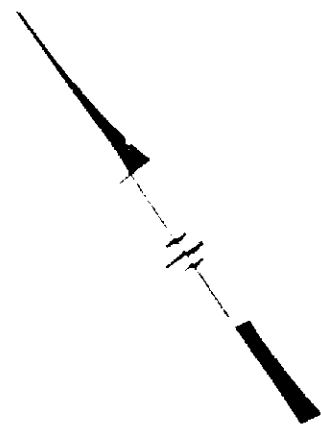
degree 51 minute 20 second West 202.41 foot line which appears on the aforesaid

LIBR 5930 PAGE 094

Plat on the southeastern border of Lot 1, such extension being in a northeasterly direction until it intersects with the South 56 degree 15 minute East 94.79 foot line which appears on the aforesaid Plat on the southwestern border of Lot 3.

The easement, driveway and right of way hereby created, and all covenants and conditions herein contained shall run with and bind the land and shall inure to the benefit of and may be enforced by the owners in fee simple or leasehold interest in Lots 1, 2, and 3 and their respective heirs, personal representatives, successors and assigns. The owner of each said lot shall be responsible for one-third (1/3) of the costs and expenses incurred in maintaining the easement, driveway, or right of way, so as to permit free and unimpeded access across said easements, driveways, or rights of ways; provided, however, that should any maintenance of, or repair to, the easement, driveway or right of way become necessary as a result of any activity (exclusive of normal ingress or egress) undertaken for the sole benefit of any lot(s) other than all three (3) lots, the expense of said repair or maintenance shall be borne equally by the owner(s) of the lot(s) for whose benefit the activity is undertaken.

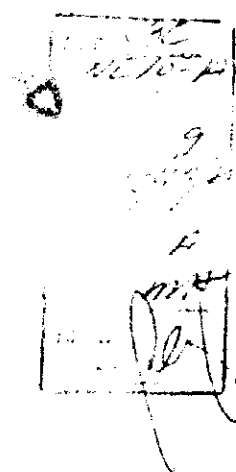
It is expressly agreed that nothing herein contained shall constitute the dedication of the easement, driveway, or right of way described above, and shown on the plat attached hereto, title to which shall be retained by record title owners as now or hereafter constituted, but subject to the easement, driveway, and right of way herein created. The grantors, for themselves, their personal representatives, successors and assigns, acknowledge that the easement, driveway, and/or right of way hereby created does not violate or conflict with any other covenants, restrictions or conditions contained in any Declaration of Restrictions now on record in Baltimore County and that apply to the lots which are the subject of this Declaration and they do hereby consent to the creation of said easement,



PLAT FOR ZONING VARIANCE
PROPOSED 3 APARTMENT DWELLING
 VARIANCE TO PERMIT LOT WIDTH OF
 85' INSTEAD OF 105'; SETBACK OF 5'
 INSTEAD OF 20' AND COMBINED SIDEYARD
 SETBACK OF 35' INSTEAD OF 40'.

ALL LOTS ZONED OR35
 WATER & SANITARY SEWER EXIST IN
 ALLEGHENY AVE.

PROPERTY OF
PHILIP L. BLOCK
 LOCATED IN TOWNSHIP
 OF ELECTION DISTRICT
 SCALE 1"=40'



RECORDED
10/10/19

